

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**MELISSA FAYE PHANN,**

**Plaintiff,**

**v.**

**MARTIN O'MALLEY,**  
*Commissioner of Social Security*

**Defendant.**

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**NO. 3:23-cv-00508**

**JUDGE CAMPBELL  
MAGISTRATE JUDGE FRENSEY**

**ORDER**

Pending before the Court is the Magistrate Judge's Report and Recommendation (Doc. No. 20), which was filed on June 11, 2024. Through the Report and Recommendation, the Magistrate Judge recommends that Plaintiff's Motion for Judgment on the Administrative Record (Doc. No. 12) be denied and the Social Security Administration's decision be affirmed. Plaintiff objects to the Report and Recommendation (Doc. No. 19), and Defendant has filed a response (Doc. No. 20). For the reasons discussed below, the Report and Recommendation is adopted and approved.

**I. STANDARD OF REVIEW**

Under 28 U.S.C. § 636(b)(1) and Local Rule 72.02, a district court reviews *de novo* any portion of a report and recommendation to which a specific objection is made. *United States v. Curtis*, 237 F.3d 598, 603 (6th Cir. 2001). General or conclusory objections are insufficient. *See Zimmerman v. Cason*, 354 F. Appx. 228, 230 (6th Cir. 2009). Thus, "only those specific objections to the magistrate's report made to the district court will be preserved for appellate review." *Id.* (quoting *Smith v. Detroit Fed'n of Teachers*, 829 F.2d 1370, 1373 (6th Cir. 1987)). In conducting the review, the court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C).

## II. ANALYSIS


Here, Plaintiff “takes issue” with the Magistrate Judge’s determination that the ALJ properly evaluated the opinion of Dr. Huffman. (*See* Doc. No. 19 (citing Report and Recommendation, Doc. No. 18 at PageID # 922-30)). Specifically, Plaintiff takes issue with the Magistrate Judge’s analysis as being “conclusory.” However, Plaintiff does not identify any error of law or fact in the Magistrate Judge’s analysis. (*See id.*). Because objections which do not identify any error are meritless, Plaintiff’s objection does not provide a basis to reject or modify the Report and Recommendation. *See Howard v. Sec. of Health & Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991); *see also VanDiver v. Martin*, 304 F. Supp. 2d 934, 937 (E.D. Mich. 2004) (“An ‘objection’ that does nothing more than state a disagreement with a magistrate’s suggested resolution, or simply summarizes what has been presented before, is not an ‘objection’ as that term is used in this context.”).

## III. CONCLUSION

Having reviewed the Report and Recommendation and determined Plaintiff’s objection is without merit, the Court concludes that the Report and Recommendation (Doc. No. 19) should be adopted and approved. Accordingly, Plaintiff’s Motion for Judgment on the Administrative Record (Doc. No. 12) is **DENIED**, and the decision of the Social Security Administration is **AFFIRMED**.

This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58.

It is so **ORDERED**.

  
WILLIAM L. CAMPBELL, JR.  
CHIEF UNITED STATES DISTRICT JUDGE